

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on Wednesday, September 3, 2014 at the Brown County Sheriff's Office, 2684 Development Drive, Green Bay, WI.

Present: Chair Buckley, Supervisor La Violette, Supervisor Zima, Supervisor Clancy
Excused: Supervisor Nicholson
Also Present: Todd De Lain, David Lasee, Don Hein, Michelle Conard, Cullen Peltier, Cheryl Corbeille, Randy Schultz, Neil Basten, Chad Weininger, Sue Robinson, media

I. Call meeting to order.

The meeting was called to order by Chair Patrick Buckley at 11:01 a.m.

II. Approve/Modify Agenda.

The agenda was modified to take Item 2 after Item 9.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to approve as amended. Vote taken.
MOTION CARRIED UNANIMOUSLY

III. Approve/Modify Minutes of August 6, 2014.

Motion made by Supervisor Zima, seconded by Supervisor La Violette to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public. None.

1. Review minutes of:

- a. Criminal Justice Coordinating Board (July 16, 2014).
- b. Fire Investigation Task Force (May 15, 2014).

Motion made by Supervisor Zima, seconded by Supervisor La Violette to receive and place on file Items 1 a & b. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications

2. Communication from Supervisor Zima on behalf of the Brown County Tavern League President to discuss similarities and enforcement of liquor license laws in Brown County.

Supervisor Zima indicated that he had been contacted by Sue Robinson of the Brown County Tavern League because she wanted to address the Committee as to continuing discrepancies with regard to certain rules and regulations that are often misunderstood by law enforcement. Her hope was to address law enforcement to have even enforcement of the rules.

Motion made by Supervisor Zima, seconded by Supervisor La Violette to suspend the rules to allow interested parties to speak. Vote taken. MOTION CARRIED UNANIMOUSLY

Sue Robinson of the Brown County Tavern League thanked the Committee for giving her the opportunity to address them. She indicated that she felt that in the last 10 years it seems like issues get corrected in one area and then the same issue comes up in another area. Her hope in coming here is that she can reach all branches of law enforcement at one time to be sure that they are all on the same page.

Robinson continued that the problem is that officers and bar owners and bar tenders are being trained with wrong information and tickets are being written which should not be written and this ties up the courts. Robinson stated that the law she is referencing pertains to 18, 19 and 20 years old. She continued that the confusion comes in in

reading the definitions in the state statutes. The definition of a "minor" in the statutes is a person under the age of 18 years of age. An "underage person" is defined as a person who is not of the legal drinking age of 21. The statutes state that an underage person accompanied by his or her parent, guardian or spouse of legal drinking age can be on a licensed premises. It also reads that an underage person accompanied by his or her parent, guardian or spouse of legal drinking age may be sold or served alcohol in a licensed premises. This is straight forward and clear to Robinson but somehow there is a lot of confusion. She stated that she received a call recently that De Pere was offering a free class to train bar owners and bartenders and they were supplying incorrect information. Robinson hoped that somehow this Committee could help put out some type of communication to clear this up once and for all.

Robinson continued that it is commonly thought that once a child is 18, they can no longer go with their parents to a bar or restaurant to have a meal and a glass of wine or a beer. This is not true. The law is that people under 21 can go to establishments that serve alcohol and be served alcohol with their parents.

Captain Schultz indicated that this issue was addressed by the Traffic Safety Commission about a year ago but he was not aware that this was a concern until he came to this meeting. Robinson responded that the Tavern League is no longer invited to those meetings.

Zima asked if it was in the prevue of this Committee to ask that a letter be sent out to other municipalities where enforcement may be unclear on what the law is. Zima wished to clarify that no matter what a child's age, they would have the right to enter a licensed establishment that serves alcohol with their parent or guardian or spouse of legal drinking age. Robinson confirmed this and Captain Schultz also stated that that was his understanding of the law and he was not aware that there were any problems regarding the enforcement of this.

Robinson stated that her fear is that people who are issued tickets for this would just pay the ticket instead of going to Court because they do not know what their rights are. She also stated that she provided a copy of the statutes to the person teaching the class in De Pere that she referenced earlier but stated that the officers still disagreed. She then contacted the State Revenue Department who said that they will contact the teacher.

Chief Deputy Todd De Lain suggestion that as a new incident occurs, it should be brought up to the municipality that issued the ticket to be properly addressed. DA Lasee indicated that this could be mentioned at the Brown County Chief's meeting, but he reiterated that this would need to be brought up with the municipality that issues a citation.

Buckley asked Robinson if she meets with law enforcement agencies periodically to go over this with them. Robinson responded that she only really has contact with agencies when something occurs. Buckley responded that this Committee only deals with the County portion of this and his suggestion would be for her to be more proactive and meet with the agencies on a periodic basis to be sure that they understand the law correctly.

Clancy asked what the red flags on the backs are that get these people targeted in an establishment. Robinson responded that police do periodically come in and do live checks on everyone in the bar. There are also times when law enforcement that appear underage go in to see if they are served. The policy in her bar is to card anyone who looks under the age of 30.

Captain Schultz stated that the Sheriff's Department does not check establishments unless it is complaint drive. Buckley stated that the City of Green Bay does more random checks.

Buckley reiterated that Robinson may wish to meet with law enforcement agencies on an annual basis to address these concerns.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Zima, seconded by Supervisor La Violette to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Public Safety Communications

3. Budget Status Financial Report for July, 2014.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

4. Director's Report.

Public Safety Director Cullen Peltier indicated that there are two new hires starting today. This leaves one open part-time position. His Department is tracking well with regard to overtime savings compared to last year. The CAD RFP is due October 5 and the phone RFP is due today. The annual maintenance increase over five years will be about \$60,000 a year over a five year period. Peltier stated that this is somewhat subjective because one of the things they are looking at in the project is their backup phones at the airport. If they have to cut that out because of costs, the cost will go down on the phone side, but as of right now, if everything happens the way he wants it to, then it will be about \$60,000 per year over five years. This year they paid roughly \$500,000 on the project. Supervisor Zima asked if it would be absurd to hire someone for this and Peltier did not know who may be qualified to do that, but he did note that there are some local shops bidding on the phone project which could drive the costs and he will keep the Committee updated on this.

Peltier also commented on the school bus accident that occurred on September 3 near Pulaski. He noted that the accident actually occurred in Shawano County, but they did end up dispatching one of the MABAS box alarms. Several engines from Brown County responded as well as about five ambulances from Brown County. One of the things the Department did proactively was notify the Brown County Emergency Management Director and he started doing some proactive notifications that are not typically done at that box level, but it worked out well in that the bus company was notified to send additional busses, the hospitals were notified that patients were coming and also notified when the last patients were transported. The stress management team was also notified for his staff and will be holding a diffusing for supervisors and staff involved in the incident to help them cope. Peltier noted that six people were transported via ambulance and five others were taken to the hospital on their own from the bus and the deceased in the car is being handled by the Shawano County Medical Examiner. He noted that the intersection where the accident occurred is all in Shawano County, however it is right on the county line.

Motion made by Supervisor Zima, seconded by Supervisor La Violette to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Sheriff

5. Budget Status Financial Report for July, 2014.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

****5a. RFP for Brown County Food Preparation for Jail Inmates, Project #1884.**

This item was discussed as part of Item 6 below.

6. Sheriff's Report.

Chief Deputy Todd De Lain stated that as far as the budget is concerned, they have done the analysis through July and they are currently at 58.3% of the budget and overall they are tracking that they will be significantly under

budget and this is directly related to personnel issues. He acknowledged that there are several months to go, however, he does not see anything that would significantly change this.

De Lain also reported on the food preparation project RFP and wanted to make it very clear that the copy provided to the Committee is only a draft. The RFP was put together using information from other RFPs from other counties throughout the state. It is the goal that the final RFP will result in a reduction of costs for meals at the Jail and De Lain felt that by RFPing this there is a good chance that that will occur. He stated that the market has changed since the last time this was RFPd and he felt that results would come in in Brown County's favor. He noted that Purchasing has put a lot of work into this RFP and this will be a good thing for the County.

La Violette asked if the Jail is currently preparing their own means. De Lain responded that they contract with Aramark and have been with them for about the last 10 years. He noted that Aramark has limited amount of staff and there are inmate workers that do most of the preparation which helps reduce the cost. Aramark has supervision and dieticians to be sure that the meals meet the requirements for both the adult population and the juvenile population as the juvenile requirements are different. De Lain also noted that there was a lawsuit about 10 years ago that resulted in the County being allowed to contract out for food services. De Lain felt there was a lot more competition in the market now and that it was in the County's best interest to RFP this.

Zima understood that the food service has not been RFPd for a while, but asked if there has been an analysis as to a base cost as to what it would cost the County to prepare the meals so there would be a center to play off of to know what the savings would be. Purchasing Manager Cheryl Corbeille stated that they have not done that analysis and Zima responded that it may be worthwhile to take a look at. Corbeille stated that they did notice that Racine and Rock counties, which have similar populations to Brown County, both contract with Aramark. De Lain stated that Rock and Racine counties have just RFPd their food service recently and that is one of the factors considered by Brown County in RFPing at this time. De Lain noted that it appears that Rock and Racine counties seemed to be doing better than Brown County with regard to food service. He also noted that the RFP will ensure that Brown County is getting the best price by getting rid of any unnecessary things that were in the contract before. They will start with the basic requirements and then decide if they wish to add anything in. The goal obviously is to save additional money over what the anticipated costs are.

Zima also questioned if there was any chance that the RFP could incorporate food for the canteen as he felt that while the Jail meals seem to be fairly nourishing, the canteen food was not as healthy and is expensive.

Supervisor Clancy arrived at 11:12 a.m.

Buckley felt that food choices in the canteen fall back on the person and personal responsibility. De Lain stated that there is a program in the Jail called Fresh Favorites where inmates can get additional items which is part of the RFP. The Fresh Favorites program allows inmates to order additional items at their own cost and it is an incentive program within the Jail in that if an inmate has been subject to a discipline in the past two weeks they cannot apply for it. Inmates must be in good standing to take part in the program. De Lain also noted that the Jail gets a small commission on the Fresh Favorites proceeds of about \$800 per month which is applied to the contract. This is a relatively new program that was brought in by Captain Malcomson and it has been a successful program and a significant amount of inmates use it. It is a win win win as the food provider benefits, the County receives commission from it and it encourages good behavior as the inmate must be in good standing to participate.

De Lain also provided an update on the building and indicated that bids were due back today. He will be meeting with Mark Rowe soon and will continue to keep the Committee advised of the progress of this project. De Lain also noted that the computer forensics analyst position has been posted and applicants will have several weeks to respond.

The Jail population is currently at 94% and there are about 100 inmates out on the EMP program. This number varies each day but is usually pretty close to 100. There are also 18 juveniles and 16 federal inmates currently being housed in the Jail.

De Lain concluded his report by indicating that another arrest was made as a result of the ICAC program and was particularly disturbing as the offender has a lot of issues including fantasizing about very young children and has a prior conviction for a similar crime in the past. Zima asked if these things were published in the paper as he felt that that may be somewhat of a deterrent to these people. De Lain responded that the media does pick these stories up.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Clerk of Courts

7. Budget Status Financial Report for July, 2014.

Financial Operations Manager Neil Basten indicated that the Clerk of Courts is currently at 50% of revenues and expenses. He will continue to monitor the financial situation and also noted that Guardian ad Litem deposits have increased. Buckley asked Basten to make sure that the Clerk of Courts budget is more accurate for 2015 and Basten indicated that he has spoken with County Executive Troy Streckenbach on this.

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Medical Examiner

8. 2014 Brown County Medical Examiner Activity Spreadsheet.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

District Attorney

9. Update re: Contract Position.

District Attorney David Lasee talked about the contract position that the County Board approved in 2013. This position has been used and is needed and includes a contract attorney and a legal assistant. Lasee stated that in speaking with the County Executive he found out that general fund dollars are included in the 2015 budget for these positions and Lasee would like the Committee's support in approving it. Lasee continued that the reason they chose to take the funds from the general fund and not the levy is that they are hopeful that the State will understand that this is a long-term need for the District Attorney's office and that the State ultimately should fund these positions. Lasee did submit his budget to the State for the 2015 – 2017 cycle and he asked for four additional positions, although he does not know if that is realistic. He indicated that they could use at least that many positions and probably more. He noted that the Governor made assurances when he was elected the first time that in the first term he would give pay progression and in the second term he would look at adding positions. This is the focus of the DA's Association and he noted that statewide they are about 150 – 170 positions down and Brown County is one of the most drastically understaffed in the State. By the State's own calculations, Brown County is 11.89 DA positions short. He stated that they are drastically and dramatically behind in terms of the referrals that come in from law enforcement that need prosecuting. Zima asked if the DA Association is on the back of the candidates with regard to this subject and Lasee responded that he assumes that they are making an effort. The Association will be going to the legislature on this as well to ask for support. La Violette asked Lasee if he has met with local people and Lasee stated that he has spoken with several and he brings this subject up every time he gets the opportunity.

Lasee continued that the cases they are seeing are also becoming more complex and require more work by his office. He noted that so far this year there have been 16 child pornography cases and they are on target to have about 35. Last year there were 10 and the year before that there were two or three. When going from two or three of these highly complex cases to 30 or 40, staff definitely needs to be added to prosecute them.

La Violette asked what happens when someone is arrested for these crimes and if it is likely that they would be out on bond. Lasee stated that each case differs and depends on the proof but they typically require a high cash bond. Clancy asked what a high cash bond was considered and Lasee responded that it would be in the area of \$25,000 - \$50,000.

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Circuit Courts, Commissioners, Probate – No agenda items.
Emergency Management – No agenda items.

Other

10. Audit of bills.

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to pay the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

11. Such other matters as authorized by law.

None.

12. Adjourn.

Motion made by Supervisor Clancy, seconded by Supervisor Zima to adjourn at 11:52 a.m. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Recording Secretary